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NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

05/27/2010

ROGER T. FROST, ESQ.
MERCHANT & GOULD P.C.
P. O. BOX 2903
MINNEAPOLIS, MN 55402-0903

EXAMINER

RAMPURIA, SHARAD K

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 05/27/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/630,134	08/01/2000	Samuel N. Zellner	BS00-065	5969

TITLE OF INVENTION: METHOD AND SYSTEM FOR DELIVERY OF A CALLING PARTY'S LOCATION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	08/27/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

**Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

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09/630,134	08/01/2000	Samuel N. Zellner	BS00-065	5969

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nonprovisional	NO	\$1510	\$0	\$0	\$1510	08/27/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
RAMPURIA, SHARAD K	2617	455-456000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
- 3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies _____

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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Date _____

Typed or printed name _____

Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 0 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 0 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability	Application No.	Applicant(s)	
	09/630,134	ZELLNER ET AL.	
	Examiner	Art Unit	
	SHARAD RAMPURIA	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 03/26/2010.
2. ☒ The allowed claim(s) is/are 1,2,4-7,9,11,15-19,21-27 and 29-32.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date ____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

/Sharad Rampuria/
Primary Examiner, Art Unit 2617

DETAILED ACTION

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Duane Minley (Reg. No. 60,098) on 05/13/2010.

The claims have been amended as follows:

Claims 8, 10, 28 are cancelled.

1. (Currently Amended) A method for providing a service that delivers the geographic location of a calling party on a VOIP (voice over Internet Protocol) phone, comprising:

receiving a call transmitted from a calling party's IP (Internet Protocol) network to a called party, wherein data associated with the call includes an IP address of the calling party and a directory number corresponding to the IP address;

in response to receiving the call, triggering a query associated with the called party and requesting the geographic location of the calling party;

receiving information returned on a circuit signaling network in response to the request, and including geographic location information associated with the calling party and recorded by a geographic location-tracking network;

terminating the call and delivering the geographic location information to the called party; and

translating the geographic location information from raw form to a displayable form;

wherein if the call is from a mobile device, the geographic location information is recorded after the call originates from the calling party and before the call is received at a network element associated with the called party; and

wherein the geographic location information includes a building name.

2. (Previously Presented) The method of claim 1, wherein if the call is from a stationary geographic location, the geographic location information is recorded during the calling party's service activation; and

wherein delivering the geographic location information to the called party comprises providing the geographic location information of the calling party in relation to a landmark.

3. (Cancelled)

4. (Previously Presented) The method of claim 1, wherein if the call is from the mobile device, before the call is received at the network element associated with the called party means before the call is received at a central office associated with the called party.

5. (Previously Presented) The method of claim 4, wherein the geographic location information is recorded using a geographic location system to determine a current geographic location of the mobile device.

6. (Previously Presented) The method of claim 5, wherein the current geographic location is in raw format, and further comprising translating the current geographic location into a displayable form.

7. (Previously Presented) The method of claim 1, wherein the geographic location information is received in response to searching a database for the calling party's geographic location information using the IP address of the calling party.

8. (Cancelled)

9. (Currently Amended) The method of claim 1, wherein the geographic location information is global positioning system coordinates.

10. (Cancelled)

11. (Previously Presented) The method of claim 1, wherein delivering the geographic location information uses a medium of an audio message.

12 – 14. (Cancelled)

15. (Previously Presented) The method of claim 1, wherein a network that tracks geographic locations of network devices provides the location information.

16. (Original) The method of claim 15, wherein the network provides enhanced 911 services.

17. (Currently Amended) A system for delivering location information of a calling party on a VOIP (voice over Internet Protocol) phone associated with an IP (Internet Protocol) address and a directory number corresponding to the IP address, the system comprising:

a location-tracking network storing the calling party's geographic location information in an address database, wherein the address database cross-references geographic location information with directory numbers and corresponding IP addresses associated with VOIP phones;

a control server in communication with the address database;

a mapping converter that translates the geographic location information from raw form to displayable form; and

a called party's network element that receives a call from the calling party, wherein data associated with the call includes the IP address of the calling party,

wherein the control server, in response to a query received from and launched by a trigger at the network element associated with the called party, searches the address database for geographic location information corresponding to the IP address of the calling party, and returns the geographic location information on a circuit signaling network to the called party's network element;

wherein the called party's network element terminates the call and delivers the geographic location information to the called party;

wherein delivering the geographic location information uses a medium of an audio message; and

wherein the geographic location information includes a building name.

18. (Previously Presented) The system of claim 17, wherein the query is a query for routing instructions, the control server provides routing instructions, and the control server

returns routing instructions with the geographic location information to the called party's network element, which forwards the geographic location information to a display unit.

19. (Original) The system of claim 18, wherein the routing instructions are in the form of a transaction capability application part response.

20. (Canceled)

21. (Previously Presented) The system of claim 17, wherein if the calling party is a mobile device, the location-tracking network continually updates the address database with new geographic location information.

22. (Previously Presented) The system of claim 17, wherein if the calling party is a stationary device, the geographic location-tracking network records the geographic location information of the stationary device upon installation of the stationary device.

23. (Previously Presented) The system of claim 17, wherein the location-tracking network is a wireless network that supports enhanced 911 services.

24. (Previously Presented) The system of claim 17, wherein the location-tracking network includes a handheld device location system that provides the geographic location information.

25. (Original) The system of claim 24, wherein the handheld device location system is a global positioning system.

26. (Previously Presented) The system of claim 17, wherein the location-tracking network includes a network-based location system that provides the geographic location information.

27. (Original) The system of claim 26, wherein the network-based location system is a Wireless Application Protocol location system.

28. (Cancelled)

29. (Currently Amended) The system of claim 17, wherein the mapping converter is in communication with the control element.

30. (Currently Amended) The system of claim 17, wherein the mapping converter is in communication with the location-tracking network.

31. (Previously Presented) The system of claim 17, further comprising a name database cross-referencing calling party names with directory numbers corresponding to IP addresses,

wherein the control server searches the name database for a name corresponding to the directory number, and forwards the name to a display unit, and

wherein the display unit displays the geographic location information and the name.

32. (Original) The system of claim 31, wherein the display unit is a calling name display unit.

33 - 48. (Cancelled)

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Claims 3, 8, 10, 12-14, 20, 28, 33-48 are cancelled.

Claims 1-2, 4-7, 9, 11, 15-19, 21-27, 29-32 are patentable.

It is believed that the independent claims (**viewed the entire claim as a whole**) are patentable over all of the cited references in this application, individually, or in any hypothetical combination, for at least the Applicant's arguments and remarks filed on 03/26/2010. Since the disclosed dependent claims are depend on one of the above independent claims, therefore they are also patentable.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5 EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sharad Rampuria/
Primary Examiner
Art Unit 2617